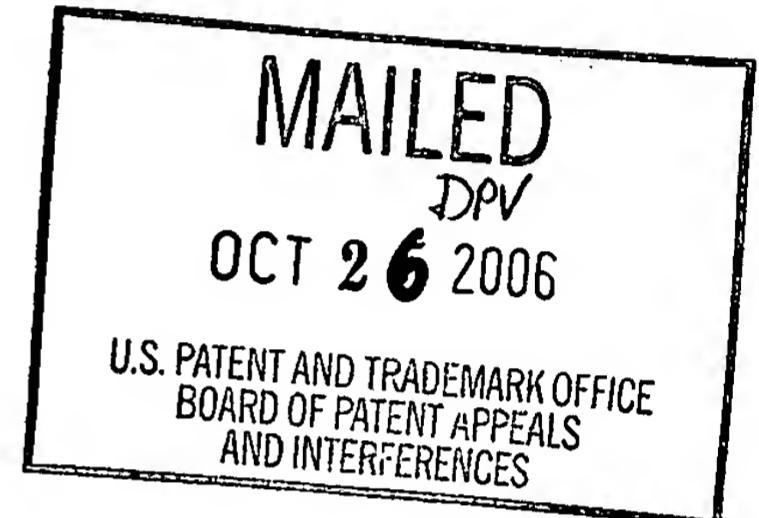


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: ANDREAS N. DORSEL, KYLE J. SCHLEIFER,
ELECIA C. WHITE, CHARLES S. LADD
and DEBRA A. SILLMAN

Appeal No. 2006-3249
Application No. 10/036,999



ORDER REMANDING UNDOCKETED APPEAL

DECISION VACATING ORDER

On September 29, 2006, the Board of Patent Appeals and Interference mailed an Order Returning Undocketed Appeal to consider the Reply Brief filed August 31, 2006. However, a Docketing Notice was mailed September 13, 2006 and Appeal Number 2006-3249 was assigned prior to receipt of the Reply Brief. Therefore, the Order Returning Undocket Appeal is hereby vacated and this application is hereby Remanded to the Examiner as set forth below.

REMAND TO EXAMINER

On August 31, 2006, appellant filed a Reply Brief in response to the Supplemental Examiner's Answer mailed July 10, 2006. There is no indication on the record that the Reply

Appeal No. 2006-3249
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Brief has been reviewed or considered. Written acknowledgment of such consideration is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- 1) consider the Reply Brief filed August 31, 2006,
- 2) a written communication notifying appellant of such consideration is required; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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Appeal No. 2006-3249
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